

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**DATATERN, INC.,**

Plaintiff,

v.

**SUNTRUST BANKS, INC., ET AL.**

Defendants.

CASE NO. 2:10-CV-00055-TJW

**JURY TRIAL DEMANDED**

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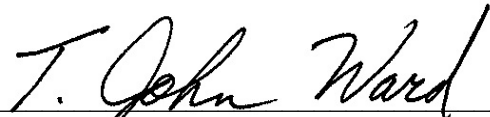
**ORDER OF DISMISSAL WITH PREJUDICE**

In consideration of the parties' Stipulated Motion for Dismissal of all claims with prejudice and all counterclaims as moot asserted between Plaintiff DataTern, Inc., and Defendant DFS Services LLC (formerly known as Discover Financial Services, Inc.), the Stipulated Motion for Dismissal with Prejudice is GRANTED, and it is

ORDERED, ADJUDGED, AND DECREED that all claims asserted in this suit between Plaintiff and Defendant are hereby dismissed with prejudice, and all counterclaims are dismissed as moot, subject to the terms of that certain agreement entitled "SETTLEMENT AGREEMENT" dated August 12, 2010. It is further

ORDERED that each party shall bear its own attorneys' fees and costs.

SIGNED this 30th day of August, 2010.



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T. JOHN WARD  
UNITED STATES DISTRICT JUDGE